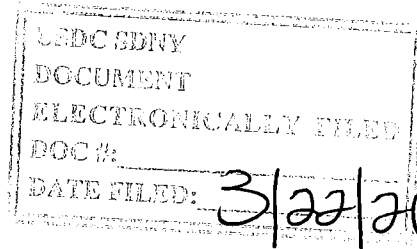


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANTHONY BARBERAN,  
Plaintiff,

v.

TOWN OF EASTCHESTER, EASTCHESTER  
POLICE DEPARTMENT, TIMOTHY BONCI,  
individually and in his official capacity as  
Eastchester Chief of Police, JEFFREY  
HUNTER individually and in his official  
capacity as Eastchester Police Lieutenant,  
Defendants.  
-----X



**ORDER**

19 CV 10983 (VB)

Defendants having filed a motion to dismiss the amended complaint pursuant to Rule 12(b)(6) (Doc. #28), it is HEREBY ORDERED:

1. Defendants' motion is GRANTED IN PART and DENIED IN PART. The motion is GRANTED with respect to plaintiff's Section 1981 claims. The motion is DENIED with respect to plaintiff's other claims.

2. A telephone conference is scheduled for April 7, 2021, at 3:00 p.m., at which time the Court will issue a bench ruling explaining the basis for its decision. This conference shall also serve as an initial conference in this matter. All counsel shall use the following information to connect by telephone:

**Dial-In Number:** (888) 363-4749 (toll free) or (215) 446-3662  
**Access Code:** 1703567

3. By March 31, 2021, counsel shall file on the ECF docket their proposed Civil Case Discovery Plan and Scheduling Order, a blank copy of which will be attached to the Notice of Initial Conference. The Notice will be separately docketed.

4. The Clerk is instructed to terminate the motion. (Doc. #28).

Dated: March 22, 2021  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti".

Vincent L. Briccetti  
United States District Judge